

USSN: 09/560,170

Attorney Docket No.: 117-P-1345US01

Remarks

Claims 20, 25, 26, 40, 41, 45 and 46 have been amended. Antecedent basis for the amendments may be found in the specification at, e.g., page 3, lines 9-17 and page 4, lines 16-19. Following entry of this amendment, claims 20-27 and 39-51 will be pending in this application.

Rejection of Claims 20-27 and 39-51 under 35 U.S.C. §102(b)

Claims 20-27 and 39-51 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,932,350 (Lauer et al.), on grounds that:

"Lauer et al. (US 5,932,350) disclose a method for tandem coating substrate, such as cellulosic substrates, with both highly crosslinked thermoset coatings and aqueous based coatings (Column 1, lines 1-9). The substrate may be coated first with the cured coating (ii) and then the highly crosslinked coating (i) which is preferably formed from a thermoset material that is UV curable and which before cure may be a high solids composition or a waterborne composition (Column 2, lines 31-51). The UV curable coatings, after exposure to UV radiation, produce highly crosslinked coatings. It has proved difficult to adhered water-based topcoats without the use of an intermediate coating (Column 3, lines 1-6). With regards to the stripability rating limitations, the Examiner takes the position that such property limitations must be inherently present in the coatings taught by Lauer et al. given that the chemical composition of the coatings as taught by Lauer et al. and as claimed in the instant application is identical. All limitations of the claimed invention are either disclosed or inherent in the above reference." (See the Office Action at pages 2-3, numbered paragraph 2).

Applicants request reconsideration. Lauer et al.'s coating (i) is said to be "highly crosslinked" and "preferably formed from a thermoset material" (see e.g., col. 2, lines 46-47) but Lauer et al. do not say that coating (i) "can be stripped without damaging the resilient flooring" as recited in claims 20-24, 26, 27 or 39-41, and do not say that coating (i) "can be stripped without damaging the floor" as recited in claim 25. Coatings like Lauer et al.'s coating (i) normally are permanent coatings, and are not designed to be stripped and renewed. Lauer et al.'s waterbased or aqueous coating (ii) is said to be "carbonyl functional" (see e.g., col. 3, lines 9-16) and "preferably a thermoplastic or substantially uncrosslinked copolymer when it is applied (in its uncured state) to

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the substrate” (see e.g., col. 4, lines 38-39) but Lauer et al. do not say that the oven-dried coating (ii) “can be stripped without damaging the resilient flooring” or “stripped without damaging the floor”.

Lauer et al. say that the cellulosic substrate material may be selected from wood, MDF, hardboard and particle board and used in interior furniture and home fittings (see e.g., col. 5, lines 52-57), and that for such cellulosic substrates the substrate is first coated with the highly crosslinked coating (i) and then coated with the waterbased coating (ii) (see e.g., col. 5, lines 52-62). This is the approach used in all of Lauer et al.’s working examples, in which two layers of highly crosslinked coating (i) are applied to a “Masonite type hardboard substrate”, sanded and UV cured (see e.g., col. 5, lines 57-65 and col. 9, line 41 though col. 10, line 38), and then a layer of coating (ii) is applied atop coating (i) and oven-dried (see e.g., col. 10, lines 39-45). These working examples do not show or suggest a strippable resilient flooring laminate finish renewal system of claims 20-24, 27, 39 or 41-51 or a strippable laminate finish kit of claims 26 or 40 for at least the reason that the oven-dried aqueous thermoplastic coating (ii) would not be “less strippable than the intermediate coating when each is coated alone atop the resilient flooring”. Also, these working examples do not show or suggest a strippable laminate finish kit of claim 25 for at least the reason that the oven-dried aqueous thermoplastic coating (ii) would not be “less strippable than the intermediate coating when each is coated alone atop the floor”.

Lauer et al. also say that in another embodiment:

“the cellulosic material is a paper material such as may be typically used in a printing or packaging application. Here, the waterbased coating (ii) may first be applied to the substrate, such as in the form of an ink, and then the cured waterbased coating (ii) and substrate are both coated with the highly crosslinked coating” (see e.g., col. 5, line 66 through col. 6, line 4; the “(ii)” at the end of line 4 appears to be an error and may have been intended to read “(i)”).

Lauer et al. do not provide any working examples showing this latter printing or packaging embodiment. However, this printing or packaging embodiment does not show or suggest a strippable resilient flooring laminate finish renewal system of claims 20-24, 27, 39 or 41-51 or a strippable laminate finish kit of claims 25, 26 or 40 for at least the reason that a “paper material

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such as may be typically used in a printing or packaging application" is not resilient flooring and is not a floor.

Moreover as to claim 25, Lauer et al. do not show or suggest a topcoat comprising an aromatic urethane.

Applicants accordingly request withdrawal of the 35 U.S.C. §102(b) rejection of claims 20-27 and 39-51 as being anticipated by Lauer et al.

Conclusion

Applicants have made an earnest effort to overcome the rejections. Applicants' strippable resilient flooring laminate finish renewal systems and strippable laminate finish kits are not shown or suggested by Lauer et al.

Passage of the application to the issue branch is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if there any questions regarding this application or any suggestions which might resolve outstanding issues.

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IPLM Group, P.A.
P.O. Box 18455
Minneapolis, MN 55418

Respectfully submitted on behalf of
Ecolab Inc.



David R. Cleveland
Registration No: 29,524
612-331-7412 (telephone)
612-331-7401 (facsimile)